

*Approved 3/1/2011*

**Town of Fenwick Island  
Minutes of the Charter & Ordinance Committee Meeting  
February 1, 2011**

**Call to Order at 9:30 a.m.**

**Present:** Committee Members Bill Weistling, Gene Langan, Vicki Carmean, Diane Tingle, Mike Quinn, Buzz Henifin, Winnie Lewis, Win Abbott and Pat Schuchman.

**Minutes:**

- Buzz Henifin made a motion to approve the minutes of January 4, 2011 seconded by Gene Langan. Minutes approved.

**Discussion of Ordinances Under Review:**

- Bill Weistling began the discussion by continuing with Chapter 160 – Zoning.
- Chapter 160-5 – Commercial Zone - Bill directed the committee to the list of allowable uses in the commercial zone. Currently, the list is lengthy with allowable uses which gives the Town control over the types of businesses allowed but the list simply cannot include every type of business that may arise. He suggested that the list be condensed and categorized not only to reduce the number of pages in the ordinance but to expand on the intent of what type of businesses are allowable.
- Most of the committee would like to see the list condensed and categorized with the exception of Buzz Henifin and Mike Quinn.
- Bill's suggested list is as follows:
  1. Retail store or personal services shop (not including activities requiring power tools or animal treatment and/or sale).
  2. Restaurant or caterer.
  3. Food establishments where alcoholic beverages are not consumed.
  4. Professional offices and banks.
  5. Motels/hotels and apartments.
  6. Utility buildings.
  7. Educational, religious and fraternal/service organizations.
- Buzz suggested that each committee member consider any additions to the above list and bring to the next C&O meeting.
- Pat Schuchman suggested that any exceptions to the list could be in a separate chapter -- Bill added that "restrictions and definitions" would follow.
- Bill referred the committee to the "apartment ideas" included in the packet that were discussed at previous C&O meetings.
- Section A1 – Definition of "Apartment" -- keep as is.
- Section A2 – "Mixed Use" -- keep as is.
- Section B – "Apartment Building" -- change to "*a building in which no more than two apartments are located.*"
- Section C – "Apartment Regulations" -- keep as is.
- Section D – "Lot Area Per Apartment" -- much discussion ensued on the number of apartments per lot that would be allowed, the number of apartments per building and whether a ratio similar to FAR should be considered. Due to the expectation that this discussion would extend beyond 11:00 a.m., Bill tabled further discussion until the next C&O meeting.
- Section E – "Apartments above commercial storefronts" -- Diane Tingle suggested that Item 4 should be changed to "*no exterior exits or balconies facing Route 1.*"
- Vicki Carmean suggested the committee consider what would be a fair ratio of lot area per apartment and bring suggestions to next C&O meeting.

**Comprehensive Plan:**

- Winnie Lewis reported that the Comp Plan is currently in its 4<sup>th</sup> year. The only changes thus far are the street name changes in Town. Any revisions to the plan that the Town Council feels necessary must be completed by the year 2012; otherwise a new plan will not become due until after 10 years or the year 2017.

**Next Meeting:**

- Next meeting – March 1, 2011 at 9:30 a.m.
- Discussions planned will be:
- Continued discussion of Chapter 160 - Zoning

**Old Business:**

- Gene asked the committee consider a change to Chapter 160-4A(2)e[2] that allows a barrier/fence for a swimming pool be constructed 6 feet in height as long as it does not encroach into setback areas. He suggests that a 6 feet barrier/fence be permitted to be constructed at the property line when being constructed for a swimming pool only. After some discussion, the committee agreed this would be a concern for liability and safety and that the section should be changed eliminating from the section "*as long as the fencing does not encroach into any required pool setback area.*"

**Adjourn:**

- Diane Tingle made a motion to adjourn the meeting, seconded by Winnie Lewis. The meeting was adjourned at 11:10 a.m.